

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES,

Plaintiff,

V.

QUOC TRUNG LE, et al.

### Defendants.

CASE NO. CR06-319JLR

## ORDER

This matter comes before the court on Defendant San Thi Le's Motion for Severance (Dkt. # 172), Defendant Chinda Tes's Motion to Join Motion to Sever Defendants (Dkt. # 178), and Defendant Kim Ahn Hoang's Motion for Severance (Dkt. # 179). The court refers to these three defendants collectively as "the Moving Defendants."

There are seventeen defendants in this matter. Fourteen defendants are named in Count 1 related to drug trafficking. These fourteen defendants are also named in the conspiracy to engage in the money laundering allegations of Count 2 along with the Moving Defendants. The allegedly illegal source of the funds involved in the money laundering conspiracy is drug trafficking.

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1 As a general matter, defendants who are jointly charged are jointly tried. United  
2 States v. Gay, 567 F.2d 916, 919 (9th Cir. 1978). The Ninth Circuit has held that this  
3 principle applies in conspiracy cases. United States v. Marsical, 939 F.2d 884, 885 (9th  
4 Cir. 1991); United States v. Escalante, 637 F.2d 1197, 1201 (9th Cir. 1980). At this time,  
5 the Moving Defendants have not established a significant risk that a joint trial would  
6 prejudice their respective rights. See United States v. Gonzalez, 749 F.2d 1329, 1333  
7 (9th Cir. 1984). The court therefore DENIES the Moving Defendants' motions to sever  
8 (Dkt. ## 172, 178, 179).

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10 Dated this 6th day of December, 2006.

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13 JAMES L. ROBART  
14 United States District Judge